

## **MINUTES**

### **CIVIL SERVICE COMMISSION MEETING**

**Wednesday, January 9, 2013 at 9:30 a.m.**

522 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

### **9:30 A.M. CLOSED SESSION**

**Consideration of the appointment, employment, evaluation of performance, discipline, or dismissal of public employees pursuant to Government Code Section 54957, for the positions listed below.**

CONVENED THE MEETING AT 9:30 A.M. AND WENT INTO CLOSED SESSION AT 9:31 A.M.

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### **10:00 A.M. AGENDA**

RECONVENED THE MEETING AT 10:18 A.M.

COMMISSIONERS PRESENT: ADKINS, FELTON, FOX, KAHWAJIAN, MARTINEZ

Minutes of the meeting of Wednesday, December 19, 2012, for approval  
APPROVED.

Consideration of Consent Calendar  
APPROVED.

Unfinished Business

1. *Petition of **SILVIA FELIX** for a hearing on her ten (10) day **suspension**, effective April 9, 2012, from the position of Licensed Vocational Nurse I, Department of Health Services, ValleyCare/Olive View-UCLA Medical Center, **Case No. 12-114.***  
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE RECOMMENDATION OF THE HEARING OFFICER, LINDA KLIBANOW, TO DEEM THE PETITION WITHDRAWN PURSUANT TO CIVIL SERVICE RULE 4.08(B).

Unfinished Business (continued)

2. *Petition of **LEOPOLDO GUERRERO** for a hearing on his **discharge**, effective April 18, 2012, from the position of Custodian, Department of Parks and Recreation, **Case No. 12-136.***  
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE RECOMMENDATION OF THE HEARING OFFICER, LINDA KLIBANOW, TO DEEM THE PETITION WITHDRAWN PURSUANT TO CIVIL SERVICE RULE 4.08(B).
  
3. *Petition of **GEORGE LIMON** for a hearing on his **discharge**, effective January 26, 2012, from the position of Public Works Laborer, Department of Public Works, **Case No. 12-036.***  
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, PAUL CROST, TO SUSTAIN THE DEPARTMENT.
  
4. *Petition of **OLIVIA MORENO** for a hearing on her thirty (30) day **suspension**, effective February 14, 2011, from the position of Senior Real Property Agent, Department of Public Works, **Case No. 11-045.***  
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, ROBERT KLEPA, TO REDUCE THE SUSPENSION TO FIFTEEN (15) DAYS.
  
5. *Petition of **ROBERT PEREZ** for a hearing on his twenty (20) day **suspension**, effective February 7, 2012, from the position of Grounds Maintenance Worker II, Department of Parks and Recreation, **Case No. 12-017.***  
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, SYLVIA MARKS-BARNETT, TO SUSTAIN THE DEPARTMENT.
  
6. *Petition of **TAMMY BLAIR** for a hearing on her **discharge**, effective November 9, 2011, from the position of Administrative Services Manager II, Department of Mental Health, **Case No. 11-377.***  
CONTINUED AT THE REQUEST OF MICHAEL SEWARD, REPRESENTATIVE FOR THE DEPARTMENT.

Unfinished Business (continued)

7. Petition of **LIEM THANH VO** for a hearing on his thirty (30) day **suspension**, effective January 9, 2012, from the position of Eligibility Worker II, Department of Public Social Services, **Case No. 12-007**.  
CONTINUED AT THE REQUEST OF THE PETITIONER IN ORDER FOR HIM TO BE PRESENT.
8. Petition of **RODERICK WELLS** for a hearing on his **discharge**, effective November 16, 2011, from the position of Administrative Services Manager II, Fire Department, **Case No. 11-364**.  
OVERRULED THE PETITIONER'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION THE FINDINGS OF THE HEARING OFFICER, CHARLES POST, BUT STRUCK THE RECOMMENDATION AND CONCLUSIONS OF LAW 1 AND 2. THE DEPARTMENT IS SUSTAINED. THE DEPARTMENT DID ESTABLISH SUFFICIENT ALLEGATIONS OF THE LETTER OF DISCHARGE TO JUSTIFY DISCHARGE. COMMISSIONERS FELTON AND MARTINEZ DISSENTED.
9. Petition of **DAVID W. YAGER** for a hearing on his ten (10) calendar days (64 working hours) **suspension**, effective January 31, 2011, from the position of Public Works Crew Leader, Department of Public Works, **Case No. 11-037**.  
THE COMMISSION SUSTAINED THE DEPARTMENT'S OBJECTIONS IN PART AND ANNOUNCED AS ITS NEW PROPOSED DECISION TO REJECT THE RECOMMENDATION OF THE HEARING OFFICER, SYLVIA MARKS-BARNETT, TO REDUCE THE SUSPENSION TO A WRITTEN REPRIMAND. THE COMMISSION IMPOSED A FIVE (5) DAY SUSPENSION AND STRUCK CONCLUSION OF LAW 12.
10. Petition of **LAURA BANDERAZ** for a hearing on her **suspension** not to exceed thirty (30) days pending investigation, effective April 5, 2012, from the position of Intermediate Typist Clerk, Registrar-Recorder/County Clerk, **Case No. 12-119**.  
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION. HEARING CANCELLED.
11. Petition of **REGINA C. CAIN** for a hearing on her **suspension** not to exceed thirty (30) days pending investigation, effective May 5, 2012, from the position of Nursing Attendant II, Department of Health Services, Harbor-UCLA Medical Center, **Case No. 12-167**.  
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.

Unfinished Business (continued)

12. *Petition of **PAMELA DAVIS-BRITTMAN** for a hearing on her twenty (20) day **suspension**, effective May 22, 2012, from the position of Eligibility Supervisor, Department of Public Social Services, **Case No. 12-161**.*  
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.
  
13. *Petition of **ALEXANDRA GUTIERREZ** for a hearing on her **discharge**, effective March 30, 2012, from the position of Children's Social Worker II, Department of Children and Family Services, **Case No. 12-118**.*  
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.
  
14. *Petition of **ARLENE HENDERSON** for a hearing on her **discharge**, effective May 7, 2012, from the position of Intermediate Typist Clerk, Department of Public Social Services, **Case No. 12-156**.*  
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION. HEARING CANCELLED.
  
15. *Petition of **SHRI MATTHEWS** for a hearing on her **suspension** not to exceed thirty (30) days pending investigation, effective March 23, 2012, and **discharge**, effective July 20, 2012, from the position of Secretary III, Department of Children and Family Services, **Case No. 12-238**.*  
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION. HEARING CANCELLED.
  
16. *Petition of **MARK A. MOTON** for a hearing on his **discharge**, effective May 11, 2012, from the position of Eligibility Worker II, Department of Children and Family Services, **Case No. 12-159**.*  
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.
  
17. *Petition of **BERTHA SEPULVEDA** for a hearing on her thirty (30) day **suspension**, effective April 16, 2012, from the position of Custodian, Department of Health Services, LAC+USC Healthcare Network, **Case No. 12-115**.*  
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.

Unfinished Business (continued)

18. *Petition of **SANDRA L. WILLIAMS** for a hearing on her fourteen (14) day **suspension**, effective March 19, 2012, from the position of Supervising Clerk, Department of Public Social Services, **Case No. 12-084**.*  
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.
  
19. *Petition of **DEIRDRE KUPER** for a hearing on the Director of Personnel's denial of her appeal of the **Appraisal of Promotability score** received in the examination for Children Services Administrator II, **Case No. 12-319**.*  
HEARING DENIED AS MOOT. (NO ONE APPEARED FOR THE PETITIONER).

New Business

20. *Petition of **MARIBEL FERNANDEZ** for a hearing on her fifteen (15) day **suspension**, effective October 29, 2012, from the position of Intermediate Clerk, Department of Health Services, Bellflower Health Center, **Case No. 12-345**.*  
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
21. *Petition of **YOLANDA SIMMONS** for a hearing on her thirty (30) day **suspension**, effective November 5, 2012, from the position of Senior Typist Clerk, Department of Children and Family Services, **Case No. 12-347**.*  
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
22. *Petition of **GEORGE TEAGUE** for a hearing on his eleven (11) day **suspension** from the position of Stationary Engineer II, Internal Services Department, **Case No. 12-331**.*  
HEARING DENIED.
23. *Petition of **PHILLIP FELIX** for a hearing on his **discharge**, effective November 15, 2012, from the position of Children's Social Worker III, Department of Children and Family Services, **Case No. 12-349**.*  
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
24. *Petition of **JOSE HOLGUIN, JR.** for a hearing on his **discharge**, effective October 23, 2012, from the position of Construction and Repair Laborer, Department of Parks and Recreation, **Case No. 12-348**.*  
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
25. *Petition of **RON HOWARD** for a hearing on his **discharge**, effective October 15, 2012, from the position of Children's Social Worker III, Department of Children and Family Services, based on his claim of a Civil Service Rule 25 violation, **Case No. 12-333**.*  
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
26. *Petition of **SIMONE SMITH** for a hearing on her **discharge**, effective November 2, 2012, from the position of Children's Social Worker III, Department of Children and Family Services, **Case No. 12-343**.*  
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

New Business (continued)

27. Amended petition of **BRANDON BOOKER** for a hearing on his **discharge during probationary period**, effective August 16, 2012, from the probationary position of Intermediate Clerk, District Attorney's Office, based on his claim of a Civil Service Rule 25 violation, **Case No. 12-274**.  
DENIED.
28. Petition of **RENE HERNANDEZ** for a hearing on the Director of Personnel's denial of his appeals of the **Appraisal of Promotability** and **Rating from Records scores** received in the examination for Accountant II, **Case No. 12-332**.  
HEARING DENIED. ( NO ONE APPEARED FOR THE PETITIONER).
29. Petition of **ESTRELITA PEREZ** for a hearing on the Director of Personnel's denial of her appeal of the **Appraisal of Promotability score** received in the examination for Children Services Administrator I, **Case No. 12-334**.  
CONTINUED TO THE MEETING OF JANUARY 30, 2013, IN ORDER FOR THE PARTIES TO MEET REGARDING REVISING THE APPRAISAL OF PROMOTABILITY SCORE.

Miscellaneous

30. Opportunity for members of the public to address the Commission on items of interest that are within the subject matter jurisdiction of the Commission.  
PETITIONER CHIKODILI UDENGWU SPOKE ON THE HEARING OFFICER REPORT FROM HER CIVIL SERVICE CASE.

ADJOURNED TO CLOSED SESSION AT 11:51 A.M.

## CLOSED SESSION

Consideration of confidential peace officer appeals pursuant to Copley Press.

### Unfinished Business

31. *Petitioner's request for a hearing on his **discharge**, effective November 15, 2011, from the position of Detention Services Officer, Probation Department, **Case No. 11-368**.*  
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, LINDA KLIBANOW, TO NOT SUSTAIN THE DEPARTMENT. (COMMISSIONER KAHWAJIAN WAS NOT PRESENT FOR THIS ITEM).
32. *Petitioner's request for a hearing on his **discharge**, effective April 6, 2010, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 10-120**.*  
OVERRULED THE PETITIONER'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, LOUIS ZIGMAN, TO SUSTAIN THE DEPARTMENT. COMMISSIONER FELTON DISSENTED.
33. *Petitioner's request for a hearing on her **suspension** not to exceed thirty (30) days following judgment of a criminal matter, effective October 8, 2009, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 09-1442**.*  
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.

### New Business

34. *Petitioner's request for a hearing on his **discharge**, effective October 22, 2012, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 12-336**.*  
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

ADJOURNED CLOSED SESSION AND RECONVENED THE MEETING AT 12:20 P.M.

READ INTO THE RECORD AN ACCOUNTING OF ACTIONS TAKEN DURING CLOSED SESSION.

ADJOURNED THE MEETING AT 12:21 P.M.

Legal Advisor:  
Lester J. Tolnai

Legal Advisor:  
Edwin A. Lewis

Head Commission Specialist:  
Steve Erickson

Acting Head Commission Specialist:  
Luz Delgado

APPROVED BY THE CIVIL SERVICE  
COMMISSION ON JANUARY 16, 2013

A handwritten signature in cursive script that reads "Lawrence D. Crocker".

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Lawrence D. Crocker  
Executive Director